




MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME: Mule Creek Pit	MINE/PROSPECTING ID#: M-2000-077	MINERAL: Gravel	COUNTY: Teller
INSPECTION TYPE: Monitoring	INSPECTOR(S): Elliott R. Russell	INSP. DATE: June 14, 2017	INSP. TIME: 10:00
OPERATOR: PK Enterprises, Inc.	OPERATOR REPRESENTATIVE: Bryan Johnson	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Normal I&E Program	BOND CALCULATION TYPE: Complete Bond	BOND AMOUNT: \$72,184.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: USFS	JOINT INSP. AGENCY: U.S. Forest Service
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: October 13, 2017

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected

(AR) RECORDS----- Y	(FN) FINANCIAL WARRANTY----- Y	(RD) ROADS----- Y
(HB) HYDROLOGIC BALANCE----- Y	(BG) BACKFILL & GRADING----- Y	(EX) EXPLOSIVES----- N
(PW) PROCESSING WASTE/TAILING---- N	(SF) PROCESSING FACILITIES----- N	(TS) TOPSOIL----- Y
(MP) GENL MINE PLAN COMPLIANCE- Y	(FW) FISH & WILDLIFE----- Y	(RV) REVEGETATION---- Y
(SM) SIGNS AND MARKERS----- Y	(SP) STORM WATER MGT PLAN---- N	(CI) COMPLETE INSP---- Y
(ES) OVERBURDEN/DEV. WASTE----- N	(SC) EROSION/SEDIMENTATION--- <u>PB</u>	(RS) RECL PLAN/COMP-- Y
(AT) ACID OR TOXIC MATERIALS----- N	(OD) OFF-SITE DAMAGE----- N	(ST) STIPULATIONS----- N

Y = Inspected and found in compliance / N = Not inspected / NA = Not applicable to this operation / **PB = Problem cited** / PV = Possible violation cited

PROBLEMS/POSSIBLE VIOLATIONS

INSPECTION TOPIC: Sediment Control

COMPLIANCE PROBLEM #1: Silt fencing is not in place along western permit boundary in accordance with the approved permit. This is a problem pursuant to the approved permit, Rule 3.1.5(3), and Rule 3.1.6(3).

CORRECTIVE ACTIONS: The Operator shall provide photographic evidence showing the silt fencing has been re-established along the western permit boundary on or before the corrective action deadline.

CORRECTIVE ACTION DUE DATE: December 12, 2017

OBSERVATIONS

This inspection was conducted as a part of the Division's normal monitoring inspection program. The Operator was represented during the inspection by Bryan Johnson. The Mule Creek Pit is a 112c Operation and is approved to affect 18 acres of land. Affected lands will be reclaimed to support a rangeland post-mining land use. The site is located approximately 3.8 miles south of Divide, Colorado. The permit is located on both private and United States Forest Service (USFS) lands, and therefore the Division invited the USFS to conduct a joint monitoring inspection. Approximately 4 acres on the west side of the permit boundary is private property and the eastern 14 acres is located on USFS lands. The USFS was represented Jeff Hovermale.

The Division met Bryan Johnson and Jeff Hovermale at the mine site entrance on the west side of High 67, directly across from the entrance to Mueller State Park. The site was not active at the time of the inspection however a bulldozer, motor grader, screening plant, an office trailer, and a maintenance shed were on-site at the time of the inspection. The Division observed evidence of recent mining activity, however, Mr. Johnson Mr. Johnson stated the site was last active at the end of 2016, but will shortly recommence. Additionally, the Operator discussed using the site for temporary equipment and materials staging for a highway repaving project by a different company. This has been approved by Teller County through a temporary special use permit and the Division has determined that no technical revision to the mining permit is needed for this temporary project. At the time of the inspection, there were three mobile office trailers located on site that were associated with the temporary repaving project.

Availability of Records: Annual fees are paid through October 2017. The previous inspection was on July 7, 2015. There are no open infractions.

Complete Inspection: The entire permit area was inspected.

Financial Warranty: The financial warranty amount held by the Division was reviewed as a part of the monitoring inspection. The Division has determined the \$72,184.00 bond is adequate at this time to complete the reclamation activities at the site.

Fish and Wildlife: The Division didn't observe any issues or concerns regarding fish and wildlife.

Hydrologic Balance: Small amounts of standing water was observed near the toe of the mining slope. It appears this is an accumulation from a recent storm event. The Operator indicated that this water ponds after coming down the mining slope and then typically infiltrates within a few days. There appears to be little to no impact on the prevailing hydrologic balance at the site.

General Compliance with Mine Plan: The site consists of a single disturbance area which can be divided into

three areas (lower, middle, upper). The lower area involves the access roads into the permit, the processing area, and the Operator's office trailer and maintenance shed. The middle area is a large west-facing slope, approximately 200 hundred feet in elevation change, where material has been mined from and pushed down to the processing area. The Upper area consists of a flatter, bowl-shaped area above the main slope where additional material has been mined. Two of the Division's observations to note, which were discussed in the field with the Operator were: 1) some general housekeeping and cleanup was needed in and around the maintenance shed where a small quantity of used oil containers and other miscellaneous debris had accumulated; and 2) the middle mining area's slopes should be monitored closely to ensure they do not become too steep or over-mined, as substantial impacts to the reclamation cost estimate could occur if the slopes require costly backfilling rather than the cheaper cut/fill approach to achieve the final reclamation slopes. Please note, the approved permit states final slopes will vary from 2H:1V to 3H:1V, with the exception of rock outcrops.

Sediment Control: An old silt fence is located along the western permit boundary where the mine disturbance meets an adjacent creek/wetland. This silt fence has fallen down in several places and is missing in others. Pursuant to the approved permit, Rule 3.1.5(3), and Rule 3.1.6(3), the Operator will need to replace this silt fence to ensure there is no off-site sedimentation. This has been cited as Compliance Problem #1. No other erosion problems were observed and no other BMPs were needed at the time of the inspection.

Signs and Markers: The permit sign was posted along the access road in accordance with Rule 3.1.12(1). The permit boundary was delineated by fence lines in accordance with Rule 3.1.12(2).

Topsoil: The approved permit specifies topsoil would be removed from the mining areas, stockpiled along the northern and eastern permit boundaries, and revegetated. The permit also specifies an average of 3 inches will be replaced on the mining slopes and 1.5 inches on the flat areas, however additionally topsoil may need to be imported to the site depending on the amount original salvaged. As noted in the file, the site has been previously mined and disturbance on multiple occasions with the earliest believed to be around 1900.

Various topsoil stockpiles were located in the upper permit area along the northeast, eastern, and southeastern permit boundaries. All stockpiles appeared to be stable, however additional seeding should be implemented to ensure there is no loss of topsoil due to erosion. The Division observed some Canada thistle growing on the southeast topsoil stockpile. This is a List B Noxious Weed and will need to be treated; please refer to the enclosed Fact Sheet from the Dept. of Agriculture regarding possible treatments. Due to the limited amount of thistles, the Division is not pursuing a compliance problem at this time.

This concludes the Division's Inspection Report; a subset of photographs taken during the time of the inspection are included below. If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at elliott.russell@state.co.us.

PHOTOGRAPHS



Photo 1. Permit Identification Sign; looking east.



Photo 2. Site overview from the entrance to Mueller State Park; looking northeast.



Photo 3. Lower area overview; looking southeast.



Photo 4. Middle permit area with graded slope (foreground) and remaining material to be mined (background); looking south.



Photo 5. Upper permit area; looking north.



Photo 6. Western permit boundary needing silt fence north of access road; looking north.



Photo 7. Western permit boundary needing silt fence south of access road; looking south.

Inspection Contact Address

Bryan Johnson
PK Enterprises, Inc.
11115 W. Hwy. 24, Unit 2A
Divide, CO 80814

Enclosure: CDA Canada Thistle Fact Sheet

CC: Wally Erickson with DRMS